

MINUTES

UTAH PODIATRY BOARD MEETING

June 16, 2008

**Room 475 – 4th Floor – 8:30 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:35 A.M.

ADJOURNED: 10:10 A.M.

Bureau Manager:
Board Secretary:
Division Compliance Specialist:

Noel Taxin
Karen McCall
Connie Call

Board Members Present:

Steven R. Jones, DPM, Board Chairperson
Glenn S. Gold, Jr., DPM
Michael K. Lowe, DPM
Suzanne Ferry

DOPL Staff Present:

David Stanley, Division Director

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the November 20, 2007 Board meeting were read.

Ms. Ferry made a motion to approve the November 20, 2007 minutes. Dr. Lowe seconded the motion.
The Board vote was unanimous.

BUSINESS FROM PREVIOUS MEETING:

New Board Member Update

Ms. Taxin informed the Board that today will be Dr. Gold's last meeting as he has served the maximum of 2 terms on the Board. She stated that 2 names have been submitted for new Board members and the appointments should be finalized by the next Board meeting.

Mr. Stanley commented that the Governor's office should notify the Division in the near future regarding

new Board members.

The Board thanked Dr. Gold for his years of service.

APPOINTMENTS:

8:45 am

Connie Call, Compliance Update

Ms. Call updated the Board regarding the compliance or non-compliance of probationers.

Ms. Call reported that **Dr. William Martin** has submitted all his paperwork. She stated that he was one of the random licensees that is on the continuing education audit list and will need to submit documentation of completing his CE. She stated that Dr. Martin has requested early termination of his probation. Ms. Call voiced concern regarding early termination based on the review of his prescribed controlled substance list.

Ms. Taxin commented that probation is not a punishment but is to assist the probationer to get back on track. She stated that if the Board believes the monitoring has met the requirements and all other requirements of the Stipulation and Order have been met then they should consider terminating the probation.

Ms. Call stated a report has not been received from Larell Fawson and without that report Dr. Martin would be out of compliance with his Stipulation and Order.

Dr. Lowe responded that he believes Dr. Martin would be in compliance as he believes Dr. Martin did not understand that a report was required from the committee, Dr. Richmond, Dr. Austad, Dr. Stagg and from Dr. Fawson.

Dr. Jones read Dr. Martin's request for termination of probation.

Ms. Taxin reminded the Board that Dr. Martin has not completed the CPEP requirement. She stated that the requirement should be completed prior to

9:15 am

Dr. William Martin, Probationary Interview

considering termination of his probation.

Dr. Martin met for his probationary interview. Janell, Dr. Martin's office manager attended with Dr. Martin.

Division staff were introduced.

Dr. Gold conducted the interview.

Dr. Gold requested Dr. Martin to address the number of tablets per prescription he would prescribe as the controlled substance prescription printout indicates extremely large quantities being prescribed to the same individual over short periods of time.

Dr. Martin reviewed the controlled substance printout and responded that he was not aware of the quantity of prescriptions for this particular patient. He stated that he has reported that a medical assistant stole his prescription pad and has written some prescriptions.

Ms. Taxin recommended Dr. Martin contact the Division Investigations and file a complaint. She also recommended he contact the pharmacy regarding the prescription they filled first and if it was filled for the amount on the list as maybe the patient received the amount Dr. Martin prescribed. She asked Dr. Martin to report to the Board at the next probationary interview regarding how this issue was resolved.

Dr. Martin responded that he would follow through with Investigations.

Dr. Gold asked if Dr. Martin was still injecting Cortozone directly into the Achilles tendon on his patients as this procedure increases the chance of rupturing the Achilles tendon.

Dr. Martin responded that he has used this procedure and has read literature that supports the procedure.

The Board recommended Dr. Martin discontinue the procedure. The Board asked Dr. Martin to present his literature to the Board at his next

appointment as he is liable if he ruptures a tendon.

Dr. Gold recommended Dr. Martin error on the side of caution.

Dr. Gold asked if Dr. Martin takes the blood pressure of each patient, if he asks each patient if they have seen their primary care physician and if Dr. Martin asks for a list of medications each patient is currently taking.

Dr. Martin responded that he does not take the blood pressure as that is not really a standard of care for a Podiatrist. He stated that he does ask each patient if they have seen their primary care physician and he also asks if they are diabetic and asks what the A1C number is currently. Dr. Martin stated that he makes notes of any changes in medications.

Dr. Gold recommended Dr. Martin obtain a copy of patient records from the primary physicians for his own records.

Dr. Gold asked if Dr. Martin is meeting with Dr. Fawson.

Dr. Martin responded that he does not specifically meet with Dr. Fawson but does meet with the committee, Dr. Fawson, Dr. Austad and Dr. Stagg. He explained that twice he brought patient charts for the committee to review and then they conducted some case studies for Dr. Martin to address regarding treatment etc.

Dr. Gold asked for a report from the committee to be submitted prior to Dr. Martin's next appointment as the Board will need to review the report prior to considering Dr. Martin's request for termination of probation. Dr. Gold stated that another report will also need to be submitted from Dr. Brian Richman.

Ms. Taxin asked that the committee and Dr. Richman also write letters supporting early termination of probation. She also asked that Dr. Martin discuss with Dr. Richman the issue of

injections into the Achilles tendon and have Dr. Richmond document the discussion and results.

Dr. Martin responded that he does not want to be doing procedures that are high risk and if the committee and Dr. Richman say the procedure is a high risk then he will discontinue the procedure.

Dr. Martin explained to the Board that he has changed his intake form and made it more complex with more extensive demographics which include all medications, any allergies, a medical history and a list of systems the patient may check with areas for additional information. He stated that all this information is entered into the electronic medical file system.

Ms. Taxin stated that more information on each patient makes Dr. Martin more knowledgeable. She stated that the three Doctors on the Board have concerns regarding terminating Dr. Martin's probation early. Ms. Taxin stated that if Dr. Martin will send the requested information prior to the Board meeting she will send it out to the Board members to review.

The Board determined Dr. Martin is currently in compliance with the requirements of his Stipulation and Order.

Ms. Taxin explained that the Board will be discussing the date of the next Board meeting and Ms. McCall will contact Dr. Martin regarding the date for his next appointment.

Ms. Call reminded Dr. Martin that he is required to complete the CE audit and submit that as soon as possible in order to renew his license.

Dr. Martin responded that he has completed the CE and will submit the CE audit form.

Dr. Gold asked if Dr. Martin has an Idaho license.

Dr. Martin responded that he does have an unrestricted license in Idaho. He stated that he does not currently

work in Idaho but could. He stated that he lives in Idaho and has two separate practices in Utah.

The Board determined Dr. Martin is currently in compliance with his Stipulation and Order.

An appointment was made for Dr. Martin to meet again September 8, 2008, at which time his request for early termination of probation will be further discussed.

DISCUSSION ITEMS:

2008 Board Meeting Time and Schedule

Ms. Taxin and the Board reviewed their calendars and determined September 8, 2008 and December 8, 2008 would be the best dates for the remaining 2008 meetings.

The Board requested the 2009 Board meeting schedule be a discussion item on the September agenda.

CORRESPONDENCE:

CPME Correspondence

The Board reviewed the following CPME correspondence:

1. Information regarding Proposed Revision to the Accreditation Eligibility Requirements and to CPME publication 130. **Dr. Jones read the publication to the Board. No Board action was taken.**
2. Information regarding the Council adopting CPME publication 120. **Dr. Jones read the publication to the Board. Dr. Jones stated that the adoption of the CPME publication was in February.**
3. Accredited Colleges of Podiatric Medicine, CPME 100. **Dr. Jones read the publication to the Board. Dr. Jones explained that these are the only accredited colleges.**

NEXT MEETING SCHEDULED FOR:

September 8, 2008

ADJOURN:

The time is 10:10 am and the Board meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

September 8, 2008
Date Approved

(ss) Steven R. Jones, DPM
Chairperson, Utah Podiatric Licensing Board

July 3, 2008
Date Approved

(ss) Noel Taxin, M.S.
Bureau Manager, Division of Occupational &
Professional Licensing